

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

ORDER :  
motion granted.  
John Bryant,  
USMJ

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CLARA LYNCH, individually, and	)	
on behalf of others similarly situated	)	
	)	
Plaintiffs,	)	No.: 3:14-cv-00619
	)	
v.	)	Judge Campbell
	)	Magistrate Judge Bryant
TANDOOR INDIAN BISTRO,	)	
	)	JURY DEMANDED
Defendant.	)	FLSA COLLECTIVE ACTION

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MOTION TO SET ASIDE ENTRY OF DEFAULT

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COMES NOW the Defendant, Tandoor Indian Bistro, and moves this Honorable Court to set aside the Entry of Default pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, dated June 9, 2014. As grounds for same, Defendant states as follows:

The Plaintiffs herein filed an Application for Default on May 22, 2014, indicating Defendant had been served, yet had not filed a timely responsive pleading. Plaintiff's counsel recognized an attorney had contacted on Defendant's behalf informing Defendant was in the process of obtaining counsel. Upon receipt of the Application for Default from Defendant, Defense Counsel herein immediately notified of intention to appear and defend the matter of Defendant's behalf. Counsel learned of the Entry of Default on that date and immediately entered her appearance. Opposing Counsel has indicated no opposition to a motion to set aside the default.

Wherefore, Defendant respectfully requests the Entry of Default entered on June 9, 2014, be set aside and for all other orders and relief to which it may appear he is entitled.

Dated this the 11<sup>th</sup> day of July, 2014.